



Department of Defense INSTRUCTION

NUMBER 1205.22

March 17, 1997

USD(P&R)

SUBJECT: Employer Support of the Guard and Reserve

References: (a) DoD Directive 1250.1, "National Committee for Employer Support of the Guard and Reserve (NCESGR)," April 13, 1995
(b) National Committee for Employer Support of the Guard and Reserve (NCESGR) P1500, "Operations Guide," August 1995
(c) Chapter 43 of title 38, United States Code
(d) DoD Instruction 1205.12, "Civilian Employment and Reemployment Rights of Applicants for, and Service, Members and Former Service Members of, the Uniformed Services," April 4, 1996

1. PURPOSE

This Instruction:

1.1. Implements policy and assigns responsibility for developing programs that promote employer and community support for the activities of the National Guard and Reserve established in reference (a).

1.2. Does not establish any rights or remedies and may not be relied on by any person, organization, or other entity in an administrative or judicial proceeding or any other forum.

2. APPLICABILITY

This Instruction applies to the Office of the Secretary of Defense and the Military Departments (including the Coast Guard when it is not operating as a Military Service in the Navy by agreement with the Department of Transportation). The term "Secretary concerned" refers to the Secretaries of the Military Departments and the

Secretary of Transportation with respect to the Coast Guard when it is not operating as a Service in the Department of the Navy. The term "Military Services," as used herein, refers to the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard.

3. POLICY

It is DoD policy under reference (a) to foster employer and community support for the military activities of Reserve component members. The Department of Defense will enhance Reserve component readiness by creating and advocating programs that promote stronger, more positive partnerships between Reservists and their civilian employers.

4. RESPONSIBILITIES

4.1. The Assistant Secretary of Defense for Reserve Affairs, under the Under Secretary of Defense for Personnel and Readiness, shall:

4.1.1. Implement the structure and carry out the functions that promote employer support for the National Guard and Reserve as established in DoD Directive 1250.1 (reference (a)) and NCESGR P1500 (reference (b)).

4.1.2. Monitor compliance with this Instruction and maintain cognizance of National Guard and Reserve employer support programs.

4.1.3. Develop and serve as advocate for programs that support the activities of the members of the National Guard and Reserve.

4.1.4. Ensure adequate resource support is available to develop and manage employer support activities and programs.

4.2. The Secretaries of the Military Departments and the Commandant of the Coast Guard shall ensure:

4.2.1. Their Reserve components develop policies, establish guidance, obtain technical assistance, and provide consultation and resources necessary to implement and promote employer support programs.

4.2.2. National Guard and Reserve employer support programs are evaluated as part of normal inspection, evaluation, and assistance programs.

4.2.3. Employer support briefings on employment and reemployment rights as provided in 38 U.S.C. 43 (reference (c)) are conducted as a routine part of actual and simulated mobilization exercises. The employer support briefing should be included with the Reserve component briefing requirements established in DoD Instruction 1205.12 (reference (d)).

4.2.4. National Guard and Reserve component members are aware of the services provided by NCESGR and employer support programs available through State and territorial Employer Support of the Guard and Reserve (ESGR) committees.

4.2.5. National Guard and Reserve members are aware of their responsibilities to their employers as provided in reference (c).

5. PROCEDURES

5.1. NCESGR shall administer and manage programs that improve communication, enhance relationships and establish a partnership among employers, members of the National Guard and Reserve, and the military leadership. These programs shall include but are not limited to public relations events, dissemination of educational materials, and an informal mediation service.

5.2. The Military Services and their Reserve components are encouraged to work closely with NCESGR to initiate, develop, and conduct employer support programs.

5.3. The Secretary concerned shall establish procedures that ensure National Guard and Reserve unit commanders give local ESGR committee representative an opportunity to familiarize Reservists and their families with employer support programs.

5.4. The Secretary concerned shall encourage National Guard and Reserve unit commanders to provide information on employer support programs to Reserve component members, their families, and their employers. These programs should cover such items as:

5.4.1. Employment and reemployment rights of Reserve component members as provided in 38 U.S.C.43 (reference (c)).

5.4.2. Rights and obligations of employers of Reserve component members as provided in DoD Instruction 1205.12 (reference (d)).

5.4.3. Effect of military service on civilian health benefits and pension plans under reference (c).

5.4.4. Where to obtain assistance should job-related conflicts arise (references (c) and (d)).

5.4.5. The availability of ESGR committee volunteers to provide information on employer support programs as provided in NCESGR P1500 (reference (b)).

5.4.6. Recognition of outstanding achievement by an employer under reference (b).

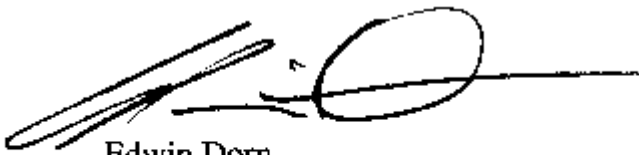
5.5. The information cited in subsection 5.4., above, can be obtained and/or briefings provided by a local ESGR committee member. The information may also be disseminated at unit training activities, through newsletters, and/or by providing other informational materials.

5.6. Reserve Personnel Center commanders for each Service shall communicate the informational items cited in subsection 5.4., above, to members of the Ready Reserve not assigned to a unit.

5.7. ESGR committees should make themselves available to support the requirements established in this Instruction.

6. EFFECTIVE DATE

This Instruction is effective immediately.



Edwin Dorn
Under Secretary of Defense for
Personnel and Readiness